

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

JIM FITZGERALD, derivatively on behalf  
of COOPER TIRE & RUBBER  
COMPANY,

Plaintiff,

V.

ROY ARMES, BRADLEY HUGHES,  
R.W. HUBER, THOMAS P. CAPO,  
STEVEN M. CHAPMAN, JOHN J.  
HOLLAND, JOHN F. MEIER, CYNTHIA  
A. NIEKAMP, JOHN H. SHUEY,  
RICHARD L. WAMBOLD and ROBERT  
D. WELDING,

Defendants,

and

COOPER TIRE & RUBBER COMPANY,

**Nominal Defendant.**

C.A. No. 1:14-cv-00479-RGA

## Consolidated Case

**NOTICE OF VOLUNTARY  
DISMISSAL WITHOUT PREJUDICE  
PURSUANT TO FRCP RULE 41**

PLEASE TAKE NOTICE THAT Plaintiffs David Bui, Zwang Family Trust, and Jim Fitzgerald (“Plaintiffs”) hereby serve this notice of voluntary dismissal of the above-captioned consolidated action (the “Action”) without prejudice pursuant to Fed. R. Civ. P. Rule 41 (a)(I)(A)(i). No defendant has served an answer or motion for summary judgment in the Action.

Dated: November 30, 2016

**RIGRODSKY & LONG, P.A.**

By: /s/ Brian D. Long

Seth D. Rigrodsky (#3147)

Brian D. Long (#4347)

Gina M. Serra (#5387)

2 Righter Parkway, Suite 120

Wilmington, DE 19803

Telephone: (302) 295-5310

Facsimile: (302) 654-7530

Email: [sdr@rl-legal.com](mailto:sdr@rl-legal.com)

Email: bdl@rl-legal.com

Email: gms@rl-legal.com

*Liaison Counsel for Plaintiffs*

**THE WEISER LAW FIRM, P.C.**

Robert B. Weiser  
Brett D. Stecker  
James M. Ficaro  
22 Cassatt Avenue  
Berwyn, PA 19312  
Telephone: (610) 225-2677  
Facsimile: (610) 408-8062

**ROBBINS ARROYO LLP**

BRIAN J. ROBBINS  
GEORGE C. AGUILAR  
JAY N. RAZZOUK  
600 B Street, Suite 1900  
San Diego, CA 92101  
Telephone: (619) 525-3990  
Facsimile: (619) 525-3991  
brobbins@robbinsarroyo.com  
gaguilar@robbinsarroyo.com  
jrazzouk@robbinsarroyo.com

**MORGAN & MORGAN, P.C.**

PETER SAFIRSTEIN  
28 W. 44th Street, Suite 2001  
New York, NY 10036  
Telephone: (212) 561-1637  
psafirstein@morgansecuritieslaw.com  
rsachar@morgansecuritieslaw.com

*Co-Lead Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 30, 2016, the foregoing Notice of Voluntary Dismissal Without Prejudice Pursuant to FRCP Rule 41 was filed electronically with the Court's Case Management/Electronic Case Files (CM/ECF) docketing system. Notice of this filing will be sent to all parties by operation of the CM/ECF system. Parties may access this filing through the CM/ECF system.

/s/ Brian D. Long

Brian D. Long (#4347)  
RIGRODSKY & LONG, P.A.  
2 Righter Parkway, Suite 120  
Wilmington, DE 19803  
Telephone: (302) 295-5310  
Facsimile: (302) 654-7530  
Email: bdl@rl-legal.com

*Liaison Counsel for Plaintiffs*